IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.1047 OF 2006

Jal Aria .. Plaintiff

Versus

Zarinabai Asgarali & Anr. .. Defendants

Mr.S.Jagtiani i/b. Desai Dewanji for plaintiff

Ms.Henna Daulat i/b. Khaitan & Jayakar for defendants.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 28th June 2006

P.C.

. Mr.Jagtiani, learned Advocate appearing for plaintiffs seeks leave to withdraw the present suit with liberty to file fresh suit. In

his submission, the second defendant has expired before institution of the suit and now plaintiff desire to file a fresh suit against first defendant and the heirs of the deceased defendant No.2.

2. Leave granted. Suit is dismissed as withdrawn with liberty as prayed. Refund as per rules.

(S.C.Dharmadhikari, J)